

AMENDED IN ASSEMBLY APRIL 28, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1531

Introduced by Assembly Member Portantino

February 27, 2009

An act to add Section ~~10101.5~~ 10347 to the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1531, as amended, Portantino. State contracts: employment clauses.

~~The State Contract Act governs~~

Existing law governing contracting between state agencies and private contractors, ~~and sets forth requirements for the bidding, awarding, and overseeing of contracts for projects, which it defines to include the construction or other improvement to a state structure or building, that will exceed a total specified cost threshold~~ *goods and services.*

This bill would additionally require that a public contract entered into between the state and another person or entity for services, ~~goods, or materials~~ include a clause stating that a person or entity that contracts with the state is prohibited from imposing a condition in the contract that would prohibit or penalize an employee subject to the contract or *employed by the* personal services contractor from seeking or accepting employment with the state.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section ~~10101.5~~ 10347 is added to the Public
2 Contract Code, to read:
3 ~~10101.5. Notwithstanding any other law, a~~
4 10347. A public contract entered into between the state and
5 another person or entity for services, ~~goods, or materials~~ shall
6 include a clause, *consistent with the requirements of Section 16600*
7 *of the Business and Professions Code*, stating that a person or
8 entity that contracts with the state is prohibited from imposing a
9 condition of employment that would prohibit or penalize an
10 employee subject to the contract or *employed by the* personal
11 services contractor from seeking or accepting employment with
12 the state.